

AMENDED IN SENATE AUGUST 22, 2014
AMENDED IN ASSEMBLY MARCH 28, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1647

Introduced by Assembly Member ~~Bigelow Wilk~~

February 11, 2014

An act to ~~repeal Sections 3029 and 4401.5 of the Food and Agricultural Code, amend Section 15144.3 of the Education Code, relating to fairs, bonds.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1647, as amended, ~~Bigelow Wilk. Fairs: Department of Food and Agriculture. Bonds: school districts and community college districts.~~

Existing law authorizes the governing board of any school district or community college district to order an election and submit to the electors of the district the question whether the bonds of the district should be issued and sold to raise money for specified purposes.

Existing law requires the ratio of total debt service to principal for each bond series to not exceed 4 to 1. Existing law requires each bond that allows for the compounding of interest, including, but not limited to, a capital appreciation bond, maturing more than 10 years after its date of issuance to be subject to redemption before its fixed maturity date, as specified, beginning no later than the 10th anniversary of the date the bond was issued. Existing law requires, if the sale includes bonds that allow for the compounding of interest, including, but not limited to, capital appreciation bonds, the agenda item to identify that bonds that allow for the compounding of interest are proposed and require the governing board of the school district or community college

district to be presented with specified information concerning the bonds. Existing law requires a school district or community college district that intends to issue bonds that allow for the compounding of interest, including, but not limited to, capital appreciation bonds, to comply with certain requirements.

This bill would exempt a school district or community college district whose electors approved the issuance of a note in an election held on or before January 1, 2014, and began issuing a note pursuant to that authority on or before January 1, 2014, from, among other requirements, the requirements specified in the previous paragraph.

~~(1) Existing law requires that each state, district, county, or citrus fruit fair that receives state funds make an annual report to the Department of Food and Agriculture regarding the total number of credential and courtesy pass admissions issued and honored at the fair.~~

~~This bill would delete this requirement.~~

~~(2) Existing law requires the Secretary of Food and Agriculture to expend up to \$100,000 in any fiscal year for exhibits at a state-supported fair that demonstrate the process of production and use of food and fiber from the producer to the consumer in this state. Existing law requires the secretary to annually provide for a conference of fair judges to aid the department in prescribing regulations for the judging of exhibits and for the premiums paid for all classes, sections, and types of exhibits, and authorizes the secretary to expend up to \$15,000 in any fiscal year for these purposes.~~

~~This bill would eliminate these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 15144.3 of the Education Code is amended
2 to read:
3 15144.3. ~~A~~(a) A school district or community college district
4 with a note issued before December 31, 2013, pursuant to Section
5 15150 may seek from the state board or the Chancellor of the
6 California Community Colleges, as applicable, a one-time waiver
7 from one or more of the requirements of Sections ~~2, 3, 5, and 6~~ of
8 15144.1, 15144.2, and 15146 and Section 53508.5 of the
9 Government Code, as they were enacted by Assembly Bill 182 of
10 the 2013–14 Regular Session, if both of the following are satisfied:

(a)

(1) The proceeds of the issuance subject to the waiver will be used only for the purpose of paying the note.

(b)

(2) The school district or community college district has provided to the state board or the Chancellor of the California Community Colleges, as applicable, an analysis from a financial adviser unaffiliated with the school district, the community college district, or the underwriter used by the school district or community college district, showing the total overall costs of the proposed bond, how the issuance is the most cost-effective method, and the reasons why the school district or community college district is unable to meet those requirements of Sections 2, 3, 5, and 6 of 15144.1, 15144.2, and 15146 and Section 53508.5 of the Government Code, as they were enacted by Assembly Bill 182 of the 2013–14 Regular Session that are the subject of the waiver.

(b) A school district or a community college district whose electors approved the issuance of a note in an election held on or before January 1, 2014, and began issuing a note pursuant to that authority on or before January 1, 2014, shall not be subject to the requirements provided in Sections 15144.1, 15144.2, and 15146 and Section 53508.5 of the Government Code, as they were enacted by Assembly Bill 182 of the 2013–14 Regular Session.

~~SECTION 1. Section 3029 of the Food and Agricultural Code is repealed.~~

~~SEC. 2. Section 4401.5 of the Food and Agricultural Code is repealed.~~